**IN THE HIGH COURT OF UTTARANCHAL AT NAINTAL**

**WRIT PETITION NO. 328 (MS) OF 2006**

Naneen Pratap Singh,
S/o Shri Ranjeet Singh,
R/o Uma Niwas,
House No. E-404/2.
P.S. Gangnahar, Tehsil Roorkee,
District- Haridwar, Uttaranchal. .....Petitioners.

Versus

1. Principal Judge, Family Court, Roorkee, District-Haridwar.
2. Smt. Bharti,
   W/o Naveen Pratap Singh,
   D/o late Shri Dharam Prakash,
   Ro/ Nai Basti, Village Sunehara,
   P.S. Gangnhar, Roorkee,
   District- Haridwar. .....Respondents.

***Mr. D.C.S. Rawat, Advocate for the petitioner.***
***Learned Standing Counsel for the respondent no.1.***

**Dated: 04.04.2006**

**Hon'ble Rajesh Tandon, J.**

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the Judge, Family Court, Roorkee, District-Haridwar-respondent no. 1 to decide the original suit (divorce petition) No. 4 of 2005 Naveen Pratap Singh Vs. Smt. Bharti under Section 13 of the Hindu Marriage Act, pending in the Court of Judge, Family Court, Roorkee, Haridwar-respondent no.1 expeditiously.

2. Briefly stated, a divorce petition was filed on behalf of the petitioner under Section 13 of the Hindu Marriage Act on 10th January, 2005. The petitioner has stated that under Section 21-(B)(2) of the Hindu Marriage Act, 1955, Clause (2) provides limitation for concluding the trial within six months.

3. Petitioner has filed petition on 10th of January, 2005 and his grievance is that one year has already passed, but the petition is still pending.

4. In view of the aforesaid facts, the respondents are directed to decide the divorce petition of the petitioner filed on 10th January, 2005 within a period of six months from the date of presentation of the certified copy of the order.

5. Writ petition is disposed of accordingly. No order as to costs.

(Rajesh Tandon, J.)

04.04.2006

*Rathour*